

2020 FEB 12 PM 2:51



**Town of Arlington
Redevelopment Board
730 Massachusetts Avenue
Arlington, MA 02476**

RECEIVED

**Legal Notice
Public Hearing
Zoning Bylaw Amendments**

In accordance with the provisions of the Town of Arlington, Massachusetts Zoning Bylaw and Massachusetts General Laws Chapter 40A, a public hearing will be held by the Arlington Redevelopment Board (ARB) on **Monday, March 2, 2020, Monday, March 16, 2020, Thursday, March 19, 2020, and Monday, March 23, 2020**. The ARB will hear public comments on the proposed amendments to the Zoning Bylaw. After receiving public comments, the ARB will make recommendations on the proposed amendments for Annual Town Meeting, which will begin on Monday, April 27, 2020.

The following articles propose changes to the Zoning Bylaw and are the subject the public hearing scheduled for **Monday, March 2, 2020**, beginning at **7:30 PM**, in the **Central School, Main Room, 27 Maple Street, Arlington, Massachusetts**:

ARTICLE A (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/CLARIFICATION OF DEFINITION OF MIXED USE

To see if the Town will vote to amend the definition of Mixed Use in the Zoning Bylaw to clarify that as enacted by Town Meeting, land uses individually prohibited in any particular zoning district are also prohibited as part of Mixed Use developments in the same zoning district; or take any action related thereto.

(Inserted at the request of Christopher Loreti and 10 registered voters)

ARTICLE B (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/CONVERSION OF COMMERCIAL TO RESIDENTIAL

To see if the Town will vote to amend Section 5.2.4 the Zoning Bylaw, by inserting in the last sentence of said section, after the word footprint, the words "if allowed by special permit" and by inserting, after the words residential use, the words "provided that the addition or expansion is for affordable housing" so that said sentence will read as follows: In the case of an existing commercial use, the addition or expansion of residential use within the building footprint if allowed by special permit shall not require adherence to setback regulations for residential uses, provided that the addition or expansion is for affordable housing, even if the residential use becomes the principal use of the building; or take any action relating thereto.

(Inserted at the request of John L. Worden III and 10 registered voters)

TOWN CLERK'S OFFICE
ARLINGTON, MA 02476

2020 FEB 12 PM 2:51

ARTICLE C (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/PARKING REDUCTIONS IN THE B3 AND B5 DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to allow the Board of Appeals or Arlington Redevelopment Board, as applicable, to reduce the parking requirement as low as zero in the B3 and B5 Districts through Special Permit where businesses have no ability to create new parking by amending SECTION 6.1.5. PARKING REDUCTION IN BUSINESS, INDUSTRIAL, AND MULTI-FAMILY RESIDENTIAL ZONES; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE D (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/PARKING REQUIREMENTS

To see if the Town will support allowing the Arlington Redevelopment Board and the Zoning Board of Appeals to reduce parking requirements for applicants in the B3 or B5 Zoning Districts to zero; or take any action related thereto.

(Inserted at the request of Gami Maislin and 10 registered voters)

ARTICLE E (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/PARKING REGULATIONS

To see if the Town Meeting will vote to amend Section 6.1 of the current Zoning Bylaw regarding off-street parking to encourage new businesses such as restaurants; or take any action related thereto.

(Inserted at the request of Marvin Lewiton and 10 registered voters)

The following articles propose changes to the Zoning Bylaw and are the subject the public hearing scheduled for **Monday, March 16, 2020, beginning at 8:30 PM**, in the **Lyons Hearing Room, Town Hall, 730 Massachusetts Avenue, Arlington, Massachusetts**:

ARTICLE F (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/DEFINITIONS RELATED TO OPEN SPACE

To see if the Town will vote to amend the Zoning Bylaw by renaming the terms "Open Space", "Open Space, Usable" and "Open Space, Landscaped" in Section 2 – Definitions; or take any action related thereto.

(Inserted at the request of Stephen A. Revilak and 10 registered voters)

ARTICLE G (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/UPPER STORY BUILDING SETBACKS

To see if the Town will vote to or take any action related thereto: 5.3.17 Upper-Story Building Step Backs (Amended as follows): For buildings more than three stories in height, an additional 7.5 foot step-back (upper story building setback) shall be provided after beginning at the third story level or 30 35 feet above grade, whichever is less. The upper story step-back shall be provided along all building elevations with street frontage, excluding alleys. In cases subject to Section 3.4, Environmental Design Review, the Arlington Redevelopment Board in evaluating

the proposal may grant a special permit to adjust the required setbacks set forth in this Bylaw to account for specific conditions unique to the proposal.

(Inserted at the request of James Doherty and 10 registered voters)

The following articles propose changes to the Zoning Bylaw and are ~~the Subject~~ ^{Proposed} the public hearing scheduled for **Thursday, March 19, 2020, beginning at 7:30 PM, in the Arlington Police Department Community Room, 112 Mystic Street, Arlington, Massachusetts:**

ARTICLE H (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ACCESSORY DWELLING UNITS

To see if the Town will vote to allow Accessory Dwelling Units (ADUs) in single and two-family dwellings in residential districts, or take any action related thereto by amending the Zoning Bylaw as follows: Section 1.2 Purposes to add "to encourage housing for persons at all income levels and stages of life"; and Section 2.5 Definitions Associated with Dwelling: to add An ACCESSORY DWELLING UNIT, OR ACCESSORY APARTMENT, "Accessory dwelling unit", four or more rooms constituting a self-contained accessory housing unit, inclusive of sleeping, cooking and sanitary facilities on the same premises as the principal dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code and state fire safety code; (ii) is not larger in floor area than 1/2 the floor area of the principal dwelling. And Section 3.3.3 Special Permits to add "in the case of requests for special permits for Accessory Dwelling Units, the use will add to the need for a range of affordable housing opportunities for the Town." And Section 5.2.3 Districts and Uses: to add "to allow for the creation of accessory dwelling units in all zoning districts which allow residential use, (Include in Section 5.4 Residential Districts); or take any action related thereto.

(Inserted at the request of Barbara Thornton and 10 registered voters)

ARTICLE I (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/AFFORDABLE HOUSING ON PRIVATELY OWNED PARCELS OF "NON-CONFORMING" SIZE

To see if the Town will vote, to allow the development of new sources of permanently affordable housing (affordable in perpetuity and affordability as defined in Arlington Zoning By-Laws) by modifying the requirements for constructing housing units to enable construction on smaller lots as long as those units are permanently committed to be available for rental or ownership according to official regional guidelines (see Zoning Bylaw Section 2, Basic Provisions, Definitions Associated with Affordable Housing) of affordability; or take any action related thereto.

(Inserted at the request of Barbara Thornton and 10 registered voters)

ARTICLE J (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/SIDEYARD SKY EXPOSURE PLANES

To see if the Town will vote to or take any action related thereto: To amend Section 5.3 of the Zoning Bylaw by inserting, at the end thereof, a new sub-section 5.3.23 which describes the

TOWN CLERK'S OFFICE
ARLINGTON, MASSACHUSETTS

Purpose & Intent, Applicability, Definitions, Standards by District, Dimensional and Density Regulations and Exceptions for Sideyard Sky Exposure Planes ~~to accommodate~~ ^{to accommodate} new construction while protecting public health, safety and welfare in Residential Zoning Districts.

(Inserted at the request of Ted Fields and 10 registered voters)

RECEIVED

ARTICLE K (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/IMPROVING RESIDENTIAL INCLUSIVENESS, SUSTAINABILITY, AND AFFORDABILITY BY ENDING SINGLE FAMILY ZONING

To see if the Town will vote to or take any action related thereto: To amend the Zoning Bylaw for the Town of Arlington by expanding the set of allowed residential uses in the R0 and R1 Zoning Districts with the goal of expanding and diversifying the housing stock by altering the district definitions for the R0 and R1 Zoning Districts.

(Inserted at the request of Benjamin Rudick and 10 registered voters)

The following articles propose changes to the Zoning Bylaw and are the subject the public hearing scheduled for **Monday, March 23, 2020, beginning at 7:30 PM**, in the **Lyons Hearing Room, Town Hall, 730 Massachusetts Avenue, Arlington, Massachusetts**:

ARTICLE L (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/AFFORDABLE HOUSING REQUIREMENTS

To see if the Town will vote to amend the Zoning Bylaw to increase the time during which the affordable housing requirements apply from a two-year period to a three-year period in alignment with G.L. c.40A § 9 by amending SECTION 8.2.2. APPLICABILITY; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE M (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/APARTMENT CONVERSION

To see if the Town will vote to amend the Zoning Bylaw to include a definition of apartment conversion by amending SECTION 2 DEFINITIONS; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE N (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/GROSS FLOOR AREA

To see if the Town will vote to amend the Zoning Bylaw to clarify how landscaped and usable open space is calculated relative to gross floor area by amending SECTION 5.3.22. GROSS FLOOR AREA to add subsection C; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE O (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/PROHIBITED USES

To see if the Town will vote to amend the Zoning Bylaw to indicate that uses without a "Y" or "SP" in the Tables of Uses are prohibited by amending SECTION 5.2.2. PROHIBITED USES to add subsection C; or take any action related thereto.

ARTICLE P (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/OTHER DISTRICTS DIMENSIONAL AND DENSITY REGULATIONS

To see if the Town will vote to amend the Zoning Bylaw to include the legend for tables by amending SECTION 5.6.2. DIMENSIONAL AND DENSITY REGULATIONS; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE Q (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/ADMINISTRATIVE CORRECTIONS

To see if the Town will vote to amend the Zoning Bylaw to make the following administrative corrections; 1. Correcting references to Board of Selectmen in subparagraph B of SECTION 3.1.4. PENALTY and in Section 3.2.1. ESTABLISHMENT; 2. Correcting reference to August, 1975 in subparagraphs C and D in SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS; 3. Correcting reference to 105 CMR 725.100 in the definition of a medical marijuana treatment center in SECTION 2 DEFINITIONS; and 4. Correcting reference to seven feet three inches in subsection A(1) in SECTION 5.3.22. APPLICABILITY; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE R (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/DEFINITION OF FOUNDATION

To see if the Town will vote to amend Section 2 of the Zoning Bylaw, by adding a new definition as follows: Building Foundation: The masonry or concrete structure in the ground which supports the building. It does not include porches, decks, sheds, patios, one story attached garages, carports, or the like; or take any action related thereto.

(Inserted at the request of Patricia B. Worden and 10 registered voters)

ARTICLE S (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/NOTICE OF DEMOLITION, OPEN FOUNDATION EXCAVATION, NEW CONSTRUCTION, OR LARGE ADDITIONS

To see if the Town will vote to amend the Zoning Bylaw in Section 3.1.B. by appending to the end of this section the sentence: "No such permit shall be issued until the Building Inspector finds that the applicant is in compliance with the applicable provisions of Title VI, Article 7 of the Town Bylaws."; or take any action related thereto.

(Inserted at the request of Michael Ruderman and 10 registered voters)

ARTICLE T (tentatively scheduled, subject to change)

ZONING BYLAW AMENDMENT/PUBLICATION OF SUPPORTING DOCUMENTATION – ZONING BOARD OF APPEALS

To see if the Town will vote to require the Zoning Board of Appeals to publish, on the Town Website, supporting documentation pertaining to items on its agenda; or take any action related thereto.

(Inserted at the request of Christopher Loreti and 10 registered voters)

TOWN CLERK'S OFFICE
ARLINGTON, MA 01740

The draft language of the proposed amendments to the Zoning Bylaw is available on Thursday, ~~2020 FEB 12 PM 2:30~~ February 13, 2020 through Tuesday, March 24, 2020 in the Department of Planning and Community Development on the first floor of the Town Hall Annex, Monday through Wednesday, 8:00 a.m. to 4:00 p.m.; Thursday, 8:00 a.m. to 7:00 p.m.; and Friday, 8:00 a.m. to 12:00 p.m., the Town Clerk's Office, the Robbins Library Reference Desk, or viewed and downloaded from the Redevelopment Board webpage of the Town's website at www.arlingtonma.gov.

Andrew Bunnell, Chair
Arlington Redevelopment Board

AA 2/13/20, 2/20/20